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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Short, et al.  
Serial No. : 09/866,379  
Filed : May 24, 2001  
Title : RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

Art Unit : 1652  
Examiner : Delia M. Ramirez, Ph.D.

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Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

MAR 06 2003

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed for filing in the above-referenced patent application is a Form PTO-1449, being submitted prior to the first Office Action on the merits. Applicants respectfully request consideration of the remarks and references set forth herein.

The following documents are enclosed herewith:

- copy of Form PTO-1449
- Postcard
- copies of cited references

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

\_\_\_\_\_  
Date of Deposit

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**REMARKS**

The reference cited on attached form PTO-1449 is being called to the attention of the Examiner. A copy of the reference is enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited is prior art merely because it is in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. If necessary, please deduct any necessary additional fees from, or credit any overpayment to, the above-noted Deposit Account.

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Attorney's Docket No.: 09010-029006 / DIVER1370-7

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date: \_\_\_\_\_

2/24/2003



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MAR 04 2003

Sheet 1 of 1

Substitute Form PTO-1449  
(Modified)U.S. Department of Commerce  
Patent and Trademark OfficeAttorney's Docket No.  
09010-029006Application No.  
09/866,379**Information Disclosure Statement  
by Applicant**

(Use several sheets if necessary)

(37 CFR §1.98(b))

Applicant  
Short, et al.Filing Date  
May 24, 2001Group Art Unit  
1652**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,284,933	Feb 8, 1994	Döbeli et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
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**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AH							
	AI							
	AJ							
	AK							
	AL							

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	AM	
	AN	
	AO	
	AP	

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Disclosure Form (PTO-1449)